

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LARRY JEROME GRADY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:14cv991-MHT
)	(WO)
LEEPOSEY DANIELS, Warden,)	
et al.,)	
)	
Defendants.)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff Larry Jerome Grady, a state prisoner, filed this lawsuit asserting that defendants Leeposey Daniels, Charles McKee, and Althea Jones wrongfully denied him two books and that he was transferred and removed from school in retaliation for exercising his First Amendment right to complain about the denial of the books. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that: (1) Daniels, McKee, and Jones's motion to dismiss Grady's

book-denial claim for failure to exhaust administrative remedies and for lack of standing be denied; (2) Daniels, McKee, and Jones's motion for summary judgment be granted as to all of Grady's official-capacity claims, Grady's book-denial claim, and Grady's retaliatory-transfer claim against McKee and Jones in their individual capacities; and (3) the motion for summary judgment be denied as to Grady's retaliatory-transfer claim against Daniels in his individual capacity. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted. The case will proceed to trial on Grady's retaliatory-transfer claim against Daniels in his individual capacity.

An appropriate judgment will be entered.

DONE, this the 7th day of August, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE